

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCE



Ex parte R. MARTIN EMANUELE, KONSTANTIN G. KOUSOULAS and
HAMEEDSULTHAN S. ALLAUDEEN

Application 09/919,504

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on June 12, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

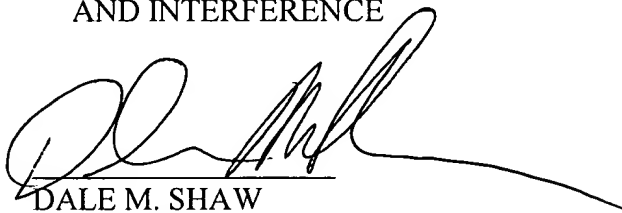
An Information Disclosure Statement (IDS) was filed October 7, 2005. It is not clear from the record whether the examiner considered the IDS or whether the examiner notified appellant of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

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Accordingly, it is ORDERED that the application is return to the Examiner:

- 1) to consider the Information Disclosure Statement filed October 7, 2005;
- 2) provide appropriate written notification by the examiner to appellants of such consideration; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
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A handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

DALE M. SHAW
Deputy Chief Appeal Administrator
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DMS/pgc

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